

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

**GERUKA PRICE**

**PLAINTIFF**

V.

**NO. 4:20-CV-16-DMB-RP**

**TUNICA COUNTY SCHOOL DISTRICT,  
SUPERINTENDENT MARGIE PULLEY,  
SHERWONDA DUNN, and TROSIKI  
PETTES**

**DEFENDANTS**

**ORDER**

On April 2, 2021, Geruka Price filed (1) a response to the defendants' motion for summary judgment, Doc. #92; (2) an accompanying memorandum brief, Doc. #93; and (3) a separate "Plaintiff's Response to Defendants' Statement of Undisputed Material Facts," Doc. #94. However, Price's filings violate this Court's Local Rules.

In violation of Local Rule 7(b)(2), Price's exhibits in support of her response are attached to her memorandum brief rather than to her response.<sup>1</sup>

Further, with respect to "Plaintiff's Response to Defendants' Statement of Undisputed Material Facts," neither the Local Rules nor the Federal Rules of Civil Procedure contemplate the filing of a separate itemization of facts. *Automation Design & Sols., Inc. v. Yeliseyev*, No. 3:08-cv-589, 2012 WL 12974010, at \*4 (S.D. Miss. Feb. 29, 2012). Such filings provide an avenue for circumventing the page limits imposed by the Local Rules.<sup>2</sup> See *Landrum v. Conseco Life Ins. Co.*, No. 1:12-cv-5, 2013 WL 6019303, at \*15 (S.D. Miss. Nov. 13, 2013) (statement of facts in

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<sup>1</sup> The Clerk issued a notice of correction on April 5, 2021, to alert Price of this error and instructed her to refile the response and memorandum.

<sup>2</sup> Though the combined length of Price's memorandum brief and separate response to the statement of facts is within the thirty-five-page limit set by Local Rule 7(b)(5), the filing is nonetheless beyond the motion documents allowed by the Local Rules.

motion deemed attempt to circumvent page limits). Price's filing of this separate document is perplexing since the defendants did not file a separate statement of undisputed facts which would warrant such a response.

Because of these procedural deficiencies, Price's filings [92][93][94] are **STRICKEN**. Within seven (7) days of this order, Price may refile her response and a revised memorandum (only to incorporate the substance of the facts she has indicated are undisputed) in accordance with the Local Rules.

**SO ORDERED**, this 5th day of April, 2021.

/s/Debra M. Brown  
**UNITED STATES DISTRICT JUDGE**